SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 2/LD/RC/2008 **Date: 24th January 2008**

NOTIFICATION

The following Ordinance promulgated by the President on the 14th day of January, 2008 and published in the Gazette of India Extraordinary, Part II, Section 1 dated 14.01.2008 is hereby republished for general information:

THE DELIMITATION (AMENDMENT) ORDINANCE, 2008
No. 1 of 2008

Promulgated by the President in the Fifty-eighth year of Republic of India.

An Ordinance further to amend the Delimitation Act, 2002.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:-

Short title and commencement

1. (1) This ordinance may be called the Delimitation (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

Amendment of Section 10 33 of 2002

2. In section 10 of the Delimitation Act, 2002 (herein referred to as the principal Act) -,

(i) in sub-section (4), the following proviso shall be inserted, namely:-

Insertion of new "10A. 10B

"Provided that nothing in this sub-section shall apply to the delimitation orders published in relation to the State of Jharkhand";

(ii) in sub-section (6), for the words "within two years of the constitution of the Commission", the words "within a period not later than 31st day of July, 2008" shall be substituted.

3. After section 10 of the principal Act, the following sections shall be inserted, sections 10A & namely:-

(1) Notwithstanding anything contained in sections 4,8 and 9, if the President is satisfied that a situation has arisen whereby the unity and integrity of India is threatened or there is a serious threat to the peace and public order, he may, by order, defer the delimitation exercise in the State.

(2) Every order made under this section shall be laid before each House of Parliament.

Delimitation Commission's order with respect to the State of Jharkhand not to have any legal effect

10B. Notwithstanding anything contained in sub-section (2) the final orders relating to readjustment of number of seats and delimitation of constituencies in respect of the Jharkhand published under the said section vide order the O.N. 63 (E), dated 30th April, 2007 and O.N. 110(E), dated 17th August, 2007 shall have no legal effect and the delimitation of the constituencies as it stood before the publication of the said order shall continue to be in force until the year 2026 in relation to every election to House of the People or to the Legislative Assembly, as the case may be, held after the commencement of the Delimitation (Amendment) Ordinance, 2008".

PRATIBHA DEVSINGH PATIL,
President

K.D. SINGH,
Secy to the Govt. of India

R.K. PURKAYASTHA(SSJS)
LR-cum-Secretary
Law Department